

4.0 ENVIRONMENTAL CONSEQUENCES

4.1 Aesthetics

The Proposed Project would involve the construction of a 19-story hotel. The initial Proposed Project included a 23-story hotel. As a result of public comments regarding the aesthetic effect of the height of the hotel, the Tribe examined its ability to meet project goals by lowering the height of the hotel, and determined that it could still meet project goals with a 19-story alternative.

The 19-story hotel would be the third structure of its kind in the area, all on or near SR-76 and within a few miles of each other. The Rincon Harrah's 21-story hotel tower, with over 50% more rooms, is visible from a number of locations in the Pauma Valley to the southeast of the project site. A 12-story hotel at the Pala Casino Resort & Spa is located on SR-76 about 5 miles to the northwest of the project site. This complex comes into view for motorists on SR-76 within a mile from either direction. The Pala hotel also houses over 500 rooms, more than the Proposed Project at the Pauma Reservation. Photographs of the Rincon and Pala casino and hotel resorts are provided in Appendix M.

The Tribe is aware of the particular concerns of neighboring residents with a direct view of the Project Site. Therefore, in addition to lowering the height of the hotel, the Tribe evaluated the Proposed Project for visibility and compatibility with the surrounding lands and existing uses, and alternative tower heights were considered.

Architects designed the hotel tower to be as simple and elegant as possible in order to work well with the landscape and colors of the Pauma Valley. The hotel exterior would have one signature move to minimize angles. The room balconies would have a slight curve to give the building a slightly curved shape. Seventy percent of the exterior would be covered with slightly reflective glass to reflect the natural landscape and sky without glare. The remaining thirty percent for elevator shafts and other structural items would be made of a stucco material of tan and natural tones, taken from the predominant colors of the natural surroundings.

As a result of public comments received about the height of the hotel, the Tribe not only decided to lower the height from 23 to 19 stories, but carefully considered two other lower hotel alternatives. The lowest hotel tower that can feasibly accommodate 384 rooms and provide patrons with easy and convenient access to the proposed casino is 13 stories, and as the height decreases, the mass increases disproportionately to height. To reduce the hotel height to lower than 13 stories with reasonable corridor distances and convenient access to the casino would require two hotel towers, one that is 9 stories and another of 10 stories, with increasing mass and width of such buildings.

As set forth in the Impact Analysis below, the 19-story hotel of the Proposed Project will have an impact that is less than significant upon visual aesthetics. The aesthetic impacts of the other considered alternatives – the 13-story hotel alternative and the hotel alternative made up of a 10-story structure and a 9-story structure – would have substantially similar aesthetic consequences

to that of the 19-story hotel. Furthermore, those lower alternatives are far more costly. Project architects have estimated that a 13-tower structure would add in the order of \$5 million to the project cost, and that the two tower alternative would add in the order of \$10 million to the project cost.

Four Key Observation Points (KOPs) were identified for the Proposed Project on northbound Cole Grade Road, SR-76, and the Adams Drive neighborhood. Figures 17 through 20 provide visual simulations of the initial Proposed Project, with the 23-story hotel tower as viewed from the four Key Observation Points. Figures 17a-20a provide visual simulations of the 19-story hotel tower in the modified Proposed Project. Figures 17b-20b provide visual simulations of the 13-story tower alternative from the same KOPs, and Figures 17c-20c provide visual simulations of the two tower hotel alternative with 9- and 10-story towers from the same KOPs.

There is an unobstructed view of the Project Site for northbound motorists on Cole Grade Road. Citrus groves along SR-76 and Adams Drive limit views of the Project Site from these roads, although there are several areas where views of the site are unobstructed. Due to the distance from each of the KOPs to the Project Site, agriculture and rural residential development represent the foreground. The Project Site is found in the middleground and the slopes of Palomar Mountain are in the background for the Cole Grade Road and SR-76 KOPs. The background for the Adams Drive KOP is the eastern Pauma Valley, looking towards the Rincon Harrah's hotel tower, which can be seen in the distance. Due to intervening topography or vegetation, visibility of the middleground and background is limited for motorists for most of SR-76 and Adams Drive. The proposed 19-story hotel tower would rise above the foreground topography and vegetation in some areas. In some places along Adams Drive where views of the existing casino are currently not possible, views of the upper portion of the hotel tower would be possible. It is noted, however, that for Adams Drive residents the project with a hotel at any height would be visible because as the hotel height is lowered, more visible mass and breadth would be added to the project. In addition, ground level parking would be displaced and require construction of a much larger multistory parking garage than what is currently proposed.

Impact Analysis

4.1a - Would the proposed project have a substantial adverse effect on a scenic vista?

Most views of the Project Site are from motor vehicles traveling on SR-76. However, because most of the highway is boarded by vegetation, open views of the Valley are few. The average time for a motor vehicle to drive through the Pauma Valley on SR-76 is approximately 7 or 8 minutes. Open views of Pauma Valley that include the Project site for motorists driving southeast on SR-76 from the Pala Casino Resort & Spa are available for no more than a few seconds. Open views of the Pauma Valley that include the Project site for motorists driving northwest on SR-76 from the Rincon Harrah's Casino and Hotel are available for no more than 30 seconds while crossing Pauma Creek.



Figure 17
Visual Simulation from KOP 1 (Northwest Bound SR-76)
of Initial Proposed Project with 23-Story Hotel

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Figure 17a
Visual Simulation from KOP 1 (Northwest Bound SR-76)
of Modified Proposed Project with 19-Story Hotel

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Figure 17b
Visual Simulation from KOP 1 (Northwest Bound SR-76)
of 13-Story Hotel

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Figure 17c
Visual Simulation from KOP 1 (Northwest Bound SR-76)
of 9- and 10-Story Hotel



Figure 17d
Visual Simulation from KOP 1 (Northwest Bound SR-76)
of Expanded Casino Alternative

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Figure18
Visual Simulation from KOP #2(Southeast Bound SR-76)
of Initial Proposed Project with 23-Story Hotel

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Figure 18a
Visual Simulation from KOP #2 (Southeast Bound SR-76)
of Modified Proposed Project with 19-Story Hotel

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Figure 18b
Visual Simulation from KOP #2 (Southeast Bound SR-76)
of 13-Story Hotel

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Figure 18c
Visual Simulation from KOP #2 (Southeast Bound SR-76)
of 9- and 10-Story Hotel



Figure 18d
Visual Simulation from KOP #2 (Southeast Bound SR-76)
of Expanded Casino Alternative

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Figure 19
Visual Simulation from Adams Drive (KOP 3)

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Figure 19a
Visual Simulation from KOP#3 (Adams Drive) of Modified Proposed
Project with 19-Story Hotel

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Figure 19b
Visual Simulation from KOP#3 (Adams Drive) of 13-Story Hotel

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Figure 19c
Visual Simulation from KOP#3 (Adams Drive) of 9-and 10-Story Hotel

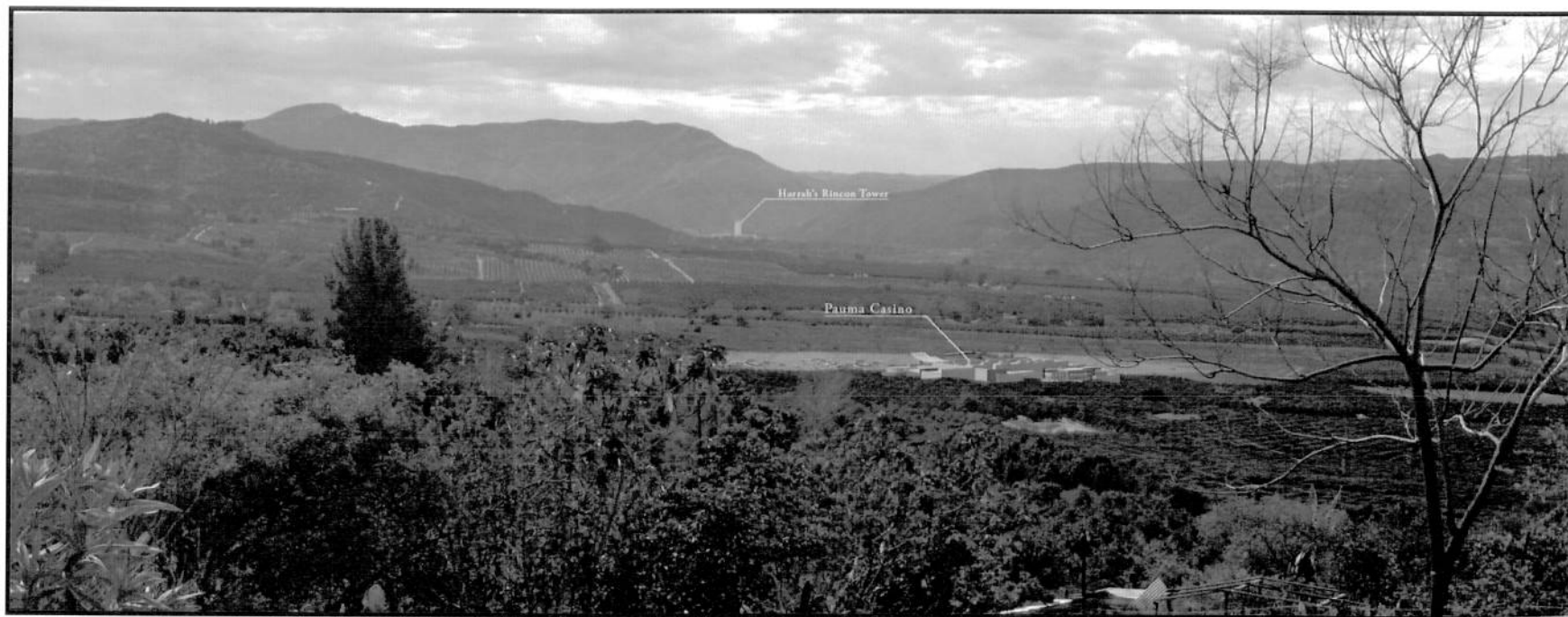


Figure 19d
Visual Simulation from KOP#3 (Adams Drive)
Expanded Casino Alternative

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Figure 20
Visual Simulation from KOP#4 (Cole Grade Road) of Initial Proposed
Project with 23-Story Hotel

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Figure 20a
Visual Simulation from KOP#4 (Cole Grade Road) of Modified Proposed
Project with 19-Story Hotel

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Figure 20b
Visual Simulation from KOP#4 (Cole Grade Road) of 13-Story Hotel

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Figure 20c
Visual Simulation from KOP#4 (Cole Grade Road) of 9- and 10-Story Hotel

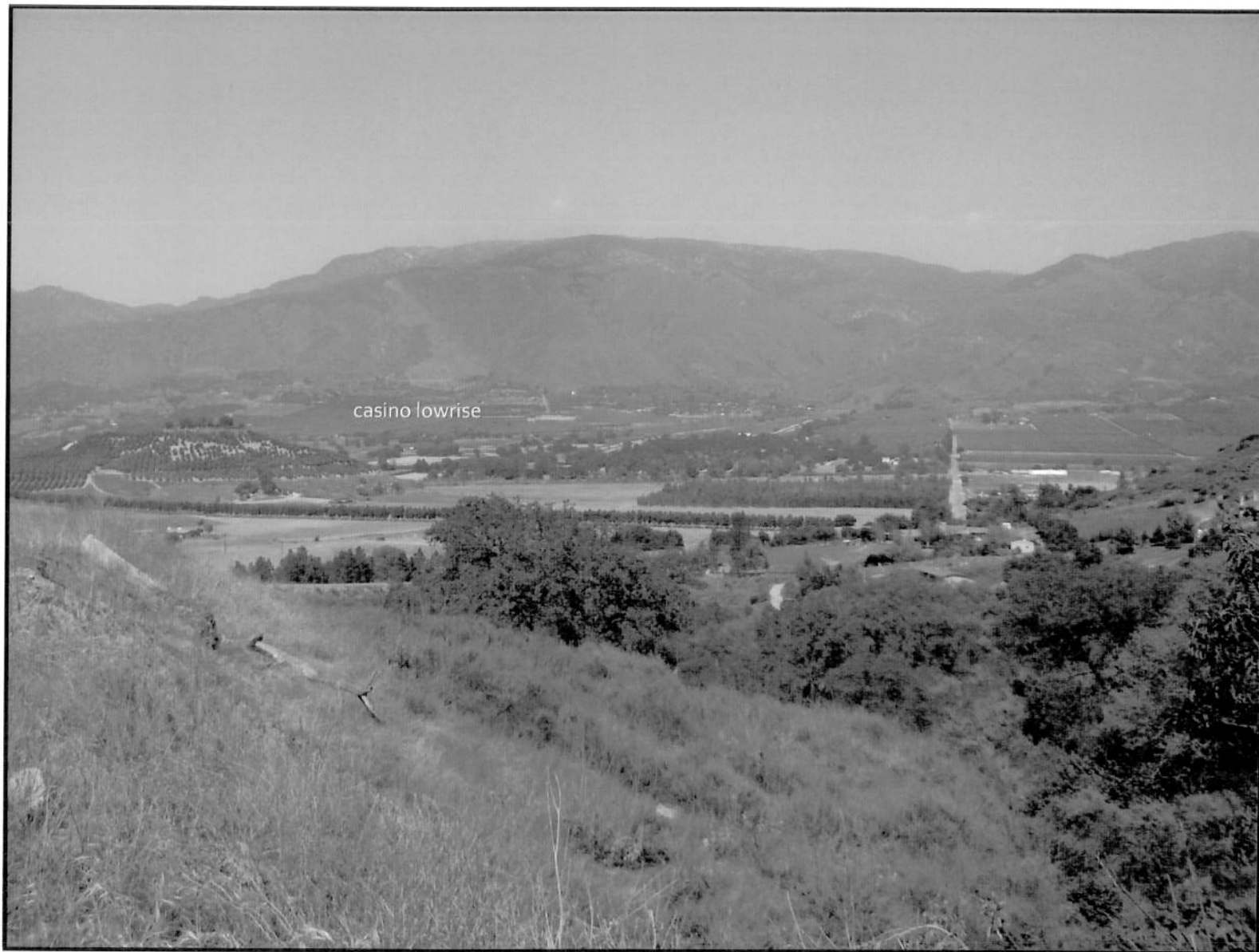


Figure 20d
Visual Simulation from KOP#4 (Cole Grade Road)
of Expanded Casino Alternative

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The Proposed Project has been designed to be aesthetically attractive when visible to motorists so as to encourage them to stop and visit the casino and other visitor-serving project components. Guests attracted to the hotel and staying there will gain additional visual aesthetic value by accessing open views of the Pauma Valley and Palomar Mountain from a variety of perspectives. In light of the varying aesthetic tastes of individuals, the net affect of the Proposed Project (positive or negative) upon aesthetic values is subjective.

The Pauma Valley is not an undisturbed, pristine wilderness of rare scenic value. The Rincon Harrah's Casino and Hotel, rising 21 stories, is visible in the distance from Adams Drive and other places in the Valley. Existing views of the Valley from Cole Grade Road are not presently unspoiled, but affected by roads, residential development, the existing Pauma Casino, and agricultural development. While the existing Pauma Casino and any expansion of it would be visible from a number of places, the Proposed Project, as designed, would be aesthetically pleasing and, due to the distance from SR-76 and the closest homes, would not significantly affect most of the existing long-range views of the valley. The Proposed Project would not have a substantial adverse effect on a scenic vista. This impact of the Proposed Project would be less than significant.

A comparison of the visual simulations of the Proposed Project (Figures 17a-20a) with the 13-story hotel alternative (Figures 17b-20b) and the hotel alternative with 9 and 10 story structures (Figures 17c-20c) shows that project alternatives would have substantially similar aesthetic effects to those of the Proposed Project. They would also be far more costly. Thus, such alternatives do not warrant further consideration.

4.1b - Would the proposed project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, historic buildings within a state scenic highway?

There are no designated scenic highways within the project area, although the Pala-Pauma Community Planning Group has proposed the designation of SR-76 as a scenic highway and SR-76 has been deemed eligible for such as designation. The schedule for any official designation, should the application ultimately be approved by Caltrans, is unknown. The construction of the Proposed Project would not affect the eligibility of SR-76, from I-15 to SR-79, for designation as a scenic highway. As previously noted, Pauma Valley is not a pristine, undeveloped area. The visual landscape is marked by agricultural development, roads, two airports, and residential development, as well as the existing Pauma Casino. In a number of places, the 21-story Rincon Harrah's casino can be seen from distant locations (see Figure 19). Due to natural topography and proximity of orange groves to SR-76, the Proposed Project will be visible for an insignificant duration for motorists traveling on SR-76 through the Valley. It will not dominate the landscape for such motorists. In addition to representing a very small portion of the viewshed along the subject stretch of highway, scenic highway designations and regulations are not applicable to Tribal lands. The Pala Tribe has constructed the Pala Casino Resort immediately adjacent to SR-76 and has been working with Caltrans to improve the SR-76 frontage at this location. No adverse impacts to the scenic value of SR-76 have been associated with that project.

The Proposed Project would be focused on the existing paved or graded areas associated with the existing casino, but would also require the clearing of approximately 41.7 acres of citrus trees. The project includes the replanting of 7.2 acres of citrus grove and 2.2 acres of non-citrus trees along the service road. SR-76 in Pauma Valley is dominated by citrus groves that run parallel on both sides of the road. Unless mandated by Caltrans pursuant to pending road improvements, none of the citrus groves adjacent to SR-76 would be cleared: the view of this visual resource would remain largely unchanged. There are also no rock outcrops or historic buildings within the project footprint. Therefore, this potential impact would be less than significant.

4.1c - Would the proposed project create a new source of substantial light or glare, which would adversely affect day or nighttime views of historic buildings or views in the area?

The Project Site will be well lit at night and there will be substantially more sources of exterior light than exist today at the existing casino. Astronomical dark skies is an important issue in San Diego County due to the presence of the Palomar Mountain Observatory, located on Palomar Mountain, approximately 6 miles northeast of the Project Site. The observatory is operated by the California Institute of Technology (Caltech), and supports the scientific research programs of Caltech's faculty and students as well as those of astronomers from other institutions. The principal instrument for this research is the 200-inch Hale telescope, which is currently one of the most productive telescopes in the world. "Background light" is considered a form of contamination as it is not related to the object being studied and as it takes a great deal of effort to separate it from the desired light. The specialty of the 200-inch Hale telescope is looking at very faint objects very deep into space. Therefore, it is extremely sensitive to background light. One source of background light is controllable and has been increasing over the years. This is the light from man-made outdoor lights that shine, or reflect, into the sky, illuminating the dust and water vapor in the atmosphere, reflecting light back toward the ground.

The Tribe has negotiated an agreement with the Palomar Observatory in which the Tribe agrees that all proposed outdoor lighting shall conform to the guidelines set forth in San Diego County's Light Pollution Code (see Appendix K). In the agreement, the Tribe is committed to ensure that the design of signage and lighting at the casino will be protective of the night sky. In addition, the Tribe agreed that all exterior lighting associated with the Proposed Project shall be fully-shielded to prevent any direct upward illumination or spill-over of light onto adjacent properties. The intensity of the lights, as well as the number would be kept to a minimum while allowing for adequate public safety and security. Wherever possible, all exterior lighting shall be low-pressure sodium as is called for in San Diego County's Light Pollution Code.

Because of the importance of dark skies in the project area, the potential for light and glare to affect daytime or nighttime views must be considered significant (**Impact A-1**). Implementation of the following mitigation measure would reduce that potential impact below a level of significance.

Mitigation Measures

Mitigation Measure A-1: All exterior lighting associated with the Proposed Project shall be fully-shielded to prevent any direct upward illumination or spill-over of light onto adjacent properties. The intensity of lights, as well as the number, shall be kept to a minimum while allowing for adequate public safety and security. Wherever possible, all exterior lighting shall be low-pressure sodium as is called for in the San Diego County's Light Pollution Code.

Expanded Casino Alternative

Under the Expanded Casino Alternative, more mass and breadth would be added to the existing casino but there would not be a hotel or parking garage. The expanded casino would be much larger than the existing casino and would be more visible from KOPs 1, 3, and 4 but, like the existing casino, it would not be visible from KOP 2 (Figures 17d, 18d, 19d, and 20d). In comparison with Proposed Project, views of the expanded casino would be reduced due especially to the absence of the 19-story hotel tower. More outdoor lighting would exist under the Expanded Casino Alternative in comparison with the current casino due to the larger casino and surface parking lot, but less lighting would occur under this alternative in comparison with that for the Proposed Project. Nonetheless, implementation of Mitigation Measure A-1 described under the Proposed Project would also be required under the Expanded Casino Alternative. Like the Proposed Project, the Expanded Casino Alternative would have a less than significant impact on outdoor lighting.

No Action Alternative

The aesthetics impacts described for the Proposed Project would not occur under the No Action Alternative.

4.2 Agricultural Resources

No off-Reservation impacts to agricultural resources would occur as the only off-reservation construction would be roadway improvements within existing Caltrans and County of San Diego right-of-way. Construction of the Proposed Project would result in the clearing of approximately 41.7 acres of citrus groves on the Reservation. Specifically, this area would be used for the construction of portions of the proposed casino, hotel, surface parking lot, and other resort amenities. Project plans call for the replanting of 7.2 acres of citrus and 2.2 acres of non-citrus groves, for a net loss of 32.3 acres. No avocado groves would be impacted.

Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The approximately 41.7 acres of citrus groves on the Reservation are mapped as Unique Farmland pursuant to the Farmland Mapping and Monitoring Program. Therefore, with the replanting of 7.2 acres of citrus and 2.2 acres of non-citrus, the Proposed Project would convert